

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

Index No.:

Date Purchased: 6/14/2022

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AYANA E. APARICIO,

SUMMONS

Plaintiff,

Plaintiff designates **KINGS**
County as the place of trial.

-against-

The basis of venue is:

UBER TECHNOLOGIES, INC. and "JOHN DOE,"
name fictitious intended for that of the operator of
a motor vehicle bearing NYS license plate
number T782381C,

SITE OF OCCURRENCE

Defendant.

-----X County of **KINGS**

To the above named Defendants:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
June 14, 2022

YADGAROV & ASSOCIATES, PLLC

ROBERT YADGAROV, ESQ.

Attorneys for Plaintiff

AYANA E. APARICIO

608 Fifth Avenue, Suite 1000

New York, New York 10020

(212) 581-2500

Our File: 18-3845

TO:

UBER TECHNOLOGIES, INC.

111 Eighth Avenue

New York, NY 10001

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

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AYANA E. APARICIO,

Index No.:

Date Purchased: 6/14/2022

Plaintiff,

-against-

VERIFIED COMPLAINT

UBER TECHNOLOGIES, INC. and "JOHN DOE,"
name fictitious intended for that of the operator of
a motor vehicle bearing NYS license plate
number T782381C,

Defendants.
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Plaintiff, by her attorneys, **YADGAROV & ASSOCIATES, PLLC**, complaining of the
Defendants, respectfully alleges upon information and belief:

1. At all times herein mentioned, Plaintiff **AYANA APARICIO** was, and still is, a resident of the County of Kings and State of New York.
2. At all times herein mentioned, Defendant **UBER TECHNOLOGIES, INC.**, and was, and still is, a domestic corporation duly organized and existing under and by virtue of the laws of the State of California.
3. At all times herein mentioned, Defendant **UBER TECHNOLOGIES, INC.**, was, and still is, a foreign corporation authorized to do business in the State of California
4. At all times herein mentioned, Defendant **UBER TECHNOLOGIES, INC.**, was, a company organized and existing under and by virtue of the law of the State of California.
5. At all times herein mentioned, Defendant **UBER TECHNOLOGIES, INC.**, maintained a principal place of business in the City of San Francisco and State of California.

6. That on December 11, 2018, and at all times herein mentioned, Defendant **UBER TECHNOLOGIES, INC.**, owned a 2018 Honda motor vehicle bearing New York State license plate number T782381C.

7. That on December 11, 2018, and at all times herein mentioned, Defendant “**JOHN DOE**,” was the operator of a 2018 Honda motor vehicle bearing New York State license plate number T782381C.

9. That on December 11, 2018, and at all times herein mentioned, Defendant “**JOHN DOE**,” operated the 2018 Honda motor vehicle bearing New York State registration number T782381C with permission of the Defendant **UBER TECHNOLOGIES, INC.**

10. That on December 11, 2018, and at all times herein mentioned, Defendant “**JOHN DOE**,” operated the 2018 Honda motor vehicle bearing New York State registration number T782381C with knowledge of the Defendant **UBER TECHNOLOGIES, INC.**

12. That on December 11, 2018, and at all times herein mentioned, Defendant “**JOHN DOE**,” operated the 2018 Honda motor vehicle bearing New York State registration number T782381C with consent of the Defendant **UBER TECHNOLOGIES, INC.**

13. That on December 11, 2018, and at all times herein mentioned, Defendant “**JOHN DOE**,” operated the 2018 Honda motor vehicle bearing New York State registration number T782381C in the scope of his employment with Defendant **UBER TECHNOLOGIES, INC.**

15. At all times herein mentioned, in front of 169 East 98th Street in County of Kings and State of New York was a public roadways and/or thoroughfares.

16. That on December 11, 2018, Defendant **“JOHN DOE,”** operated aforesaid motor vehicle owned by Defendant **UBER TECHNOLOGIES, INC.** at the above-mentioned location.

17. On December 11, 2018, Plaintiff **AYANA E. APARICIO** was a lawful pedestrian on the aforesaid premises.

18. That on December 11, 2018, at the aforementioned location, the motor vehicle operated by Defendant **“JOHN DOE,”** and owned by Defendant **UBER TECHNOLOGIES, INC.** came into contact with the Plaintiff **AYANA E. APARICIO**, a pedestrian, at the above-mentioned location.

19. That as a result of the aforesaid contact, Plaintiff **AYANA E. APARICIO** was injured.

20. That the above-stated occurrence and the results thereof were in no way due to any negligence on the part of the Plaintiff contributing thereto, but were caused by the joint, several and/or concurrent negligence of the Defendants and/or said Defendants' agents, servants, employees and/or licensees in the ownership, operation, management, maintenance and control of their said motor vehicle.

21. Defendants were negligent, careless and reckless in the ownership, management, maintenance, supervision and control of their aforesaid vehicle and Defendants were otherwise negligent, careless and reckless under the circumstances then and there prevailing.

22. That Plaintiff **AYANA E. APARICIO** sustained serious injuries as defined by §5102(d) of the Insurance Law of the State of New York.

23. Upon information and belief, the Plaintiff is a “covered person” as defined by §5102 of the Insurance Law of the State of New York.

24. That Plaintiff **AYANA E. APARICIO** sustained serious injuries and economic loss greater than basic economic loss as defined by §5104 of the Insurance Law of the State of New York.

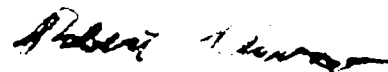
25. That this action falls within one or more of the exceptions set forth in CPLR §1602.

26. That by reason of the foregoing, Plaintiff **AYANA E. APARICIO** was damaged in a sum which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

WHEREFORE, Plaintiff demand judgment against the Defendants herein, in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with the costs and disbursements of this action.

Dated: New York, New York
June 14, 2022

Yours, etc.



ROBERT YADGAROV, ESQ.
YADGAROV & ASSOCIATES, PLLC
Attorneys for Plaintiff
AYANA E. APARICIO
608 Fifth Avenue, Suite 1000
New York, New York 10020
(212) 581-2500
Our File: 18-3845

ATTORNEY'S VERIFICATION

ROBERT YADGAROV, an attorney duly admitted to practice before the Courts of the State of New York, affirms the following to be true under the penalties of perjury:

I am an attorney at YADGAROV & ASSOCIATES, PLLC, attorneys of record for Plaintiff, **AYANA E. APARICIO**.

I have read the annexed **COMPLAINT** and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

This verification is made by me because Plaintiff is not presently in the county wherein I maintain my offices.

DATED: New York, New York
June 14, 2022



ROBERT YADGAROV, ESQ.